

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**GEORGE RHOADES and
JENNIFER RHOADES,
Plaintiffs,**

v.

**MID-CENTURY INSURANCE
COMPANY, and FARMERS INSURANCE
GROUP, INC.,
Defendants.**

CIVIL ACTION

NO. 18-722

ORDER

AND NOW, this 27th day of July, 2018, upon consideration of Defendants’ Motion to Dismiss (Document No. 3, filed February 22, 2018) and Legal Memorandum in Opposition to Defendants’ Motion to Dismiss (Document No. 8, filed March 8, 2018), for the reasons set forth in the accompanying Memorandum dated July 27, 2018, **IT IS ORDERED** that Defendants’ Motion to Dismiss is granted in part and denied in part, as follows:

1. That part of Defendants’ Motion to Dismiss seeking dismissal of plaintiffs’ Pennsylvania Unfair Insurance Practices Act, 40 Pa. Stat. § 1171.1, *et seq.* (“UIPA”) claim in Count I of the Complaint is **DENIED**.
2. That part of Defendants’ Motion to Dismiss seeking dismissal of all claims against Farmers Insurance Group, Inc. is **DENIED WITHOUT PREJUDICE** to defendants’ right to raise the issues presented in the Motion after the completion of discovery by motion for summary judgment and/or at trial;
3. That part of Defendants’ Motion to Dismiss seeking dismissal of plaintiffs’ Pennsylvania Unfair Trade Practices and Consumer Protection Law, 73 Pa. Stat. § 201.1, *et seq.*

(“UTPCPL”) claim in Count V of the Complaint is **GRANTED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that a Preliminary Pretrial Conference will be scheduled in due course. Discovery may proceed in the interim.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.